

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/238,678
Filed: January 26, 1999
Art Unit: 1771
Examiner: Arti R. Singh
Applicant: Steven R. Clarke
Title: **Hot Bitumen Compatible EPDM Roofing Sheet**

RECEIVED
OCT 21 2002
TC 1700

Cincinnati, Ohio 45202

October 15, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed September 3, 2002, please amend the claims as follows:

IN THE CLAIMS

Rewrite Claim 1

1. (Amended) A roof membrane which is compatible with bituminous adhesives comprising:

an outer layer membrane selected from the group consisting of EPDM, EPM, TPO, PVC, and CSPE;

a protecting layer bonded to a surface of said outer layer membrane wherein said protective layer is resistant to bituminous adhesives;

said protective layer in turn bonded to a fleecy layer.



10-16-02 1771
Docket No. CRS-227-111

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Sir:

CERTIFICATE OF EXPRESS MAILING
"EXPRESS MAIL" MAILING LABEL NO. EV127169878US

DATE OF DEPOSIT: October 15, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington DC 20231.

Dale Mitchell

Date: October 15, 2002

Enclosed:

Response to Office Action of September 3, 2002
Amendment Transmittal
Certificate of Express Mailing (EV127169878US)
Return Postcard

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AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment in response to the office action of September 3, 2002.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 - ☐ Enclosed is a verified statement to establish Small Entity status
 - ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | LG. ENTITY |
|--|----------------------------|------------------|---------------|------------------------|------------------------|
| | Claims After Amendment: | Already Paid: | No. Extra: | Addit. Rate Fee: | Addit. Rate Fee: |
| TOTAL | 11 MINUS | 11 = | 0 X | \$11 = \$ | X \$22 = \$ |
| INDEP | 2 MINUS | 2 = | 0 X | \$40 = \$ | X \$80 = \$ |
| First Presentation of Multiple Dep. Claim: | | | | + \$130 = \$ | + \$260 = \$ |
| Total Fee Due: \$ <u>N/A</u> | | | | | |

- ☒ **No additional fee for claims is required.**
4. ☐ Attached is a check in the sum of \$_____ for additional claims.
 - ☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

(a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

| | Extension (months) | Large Entity Fee | Small Entity Fee |
|--------------------------|-----------------------|---------------------|---------------------|
| <input type="checkbox"/> | One Month | \$110.00 | \$55.00 |
| <input type="checkbox"/> | Two Months | \$400.00 | \$200.00 |
| <input type="checkbox"/> | Three Months | \$920.00 | \$460.00 |
| <input type="checkbox"/> | Four Months | \$1,440.00 | \$720.00 |

Extension fee due with this request \$_____.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.


OR

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: 
Gregory J. Lunn
Reg. No. 29,945

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